

JAN 06 2005

WOOD, HERRON & EVANS, L.L.P.

BRUCE TITTEL
DONALD F. FREI
DAVID J. JOSEPHIC
DAVID S. STALLARD
J. ROBERT CHAMBERS
GREGORY J. LUNN
KURT L. GROSSMAN
CLEMENT H. LUKEN, JR.
THOMAS J. BURGER
GREGORY F. AHRENS
WAYNE L. JACOBS
KURT A. SUMME
KEVIN G. ROONEY
KEITH R. HAUPT
THEODORE R. REMAKLUS
THOMAS W. HUMPHREY
SCOTT A. STINEBRUNER
DAVID H. BRINKMAN
BEVERLY A. LYMAN, PH.D.
KRISTI L. DAVIDSON

OF COUNSEL
JOHN D. POFFENBERGER
THOMAS W. FLYNN

2700 CAREW TOWER
441 VINE STREET
CINCINNATI, OHIO 45202-2917
TELEPHONE: 513-241-2324
FACSIMILE: 513-241-6234
EMAIL: info@whepatent.com

PATENT, TRADEMARK, COPYRIGHT
AND UNFAIR COMPETITION LAW
AND RELATED LITIGATION

EDMUND P. WOOD 1923-1968
TRUMAN A. HERRON 1935-1976
EDWARD B. EVANS 1936-1971

JOSEPH R. JORDAN
C. RICHARD EBY
DAVID E. PRITCHARD

J. DWIGHT POFFENBERGER, JR.
KATHRYN E. SMITH
P. ANDREW BLATT, PH.D.
DAVID E. JEFFERIES
WILLIAM R. ALLEN, PH.D.
JOHN PAUL DAVIS
DOUGLAS A. SCHOLER
BRETT A. SCHATZ
DAVID W. DORTON
SARAH OTTE GRABER
STEVEN W. BENINTENDI, PH.D.
RANDALL S. JACKSON, JR.

TECHNICAL ADVISORS
HENRY M. LABODA, PH.D.

January 6, 2005

FACSIMILE COVER SHEET

To: Examiner Christina O. Sherr
Group Art Unit 3621
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22213-1450

Fax: 703-872-9306

From: Douglas A. Scholer
Reg. No. 52,197

Re: **Response to Notice of Non-Compliant
Amendment**
Our Ref: HILB/723C1
U.S. Patent Application
Serial No. 10/021,665
Filed: December 7, 2001
Title: PET CARE PRODUCTS AND
METHOD OF PROVIDING PET CARE
PRODUCTS, SERVICES AND
INFORMATION
Applicant: Bradley Jade Dickey et al
Confirmation No.: 5763

Pages: 10 (including cover sheet)

MESSAGE/COMMENTS

Enclosures: Fax Cover Sheet (1 page)
Response to Notice of Non-Compliant Amendment (2 pages)
Amendments to the Claims Section (pages 2-8) of the Amendment filed November 24, 2004 (7 pages)

The information in this facsimile message is ATTORNEY-CLIENT PRIVILEGED, WORK PRODUCT and/or CONFIDENTIAL INFORMATION intended only for the use of the individual or entity to whom this message is addressed. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, distribution or reproduction of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via mail. Thank you. If transmission is interrupted or of poor quality, please notify us immediately by calling (513) 241-2324 and ask for the sender's assistant. OUR FAX NUMBER IS (513) 241-6234.

RECEIVED
CENTRAL FAX CENTER
JAN 06 2005

PATENT
Confirmation No. 5763

I hereby certify that this correspondence and the enclosures noted herein (10 total pages, including cover sheet) are being transmitted via facsimile transmission to Examiner Christina O. Sherr, Group Art Unit 3621, Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 at 703-872-9306 on January 6, 2005.

Judith L. Volk
Judith L. Volk

January 6, 2005
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bradley Jade Dickey et al.
Application No.: 10/021,665
Filed: December 7, 2001
Group Art Unit: 3621
Examiner: Christina O. Sherr
For: PET CARE PRODUCTS AND METHOD OF PROVIDING PET CARE
PRODUCTS, SERVICES AND INFORMATION
Atty Docket No.: HILB/723C1

Cincinnati, Ohio 45202

January 6, 2005

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Sir:

In response to the Notice of Non-Compliant Amendment mailed December 6, 2004, enclosed is a revised "Amendments to the Claims" section (pages 2-8) of the Amendment filed on November 24, 2004 to replace the one originally filed.

Applicants do not believe that any fees are due in connection with this response. However, if such petition is due or any fees are necessary, the Commissioner may

Serial No. 10/021,665

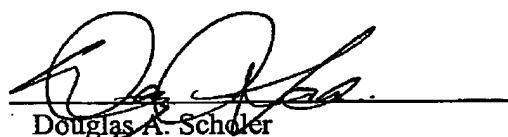
Response to Notice of Non-Compliant Amendment dated January 6, 2005
in Reply to Notice of Non-Compliant Amendment mailed December 6, 2004

consider this to be a request for such and charge any necessary fees to Deposit Account
23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, LLP

By:



Douglas A. Scholer

Reg. No. 52,197

WOOD, HERRON & EVANS, L.L.P.

2700 Carew Tower

441 Vine Street

Cincinnati, Ohio 45202

Telephone: (513) 241-2324

Facsimile: (513) 241-6234